

**SIXTY-EIGHTH DAY****Continued**

(Friday, May 16, 1941)

The Senate met at 10:00 o'clock a. m., and was called to order by the President.

**Leaves of Absence Granted**

Senator Kelley was granted leave of absence for the rest of the day, on account of illness, on motion of Senator Stone.

Senator Martin was granted leave of absence for the remainder of today on account of important business, on motion of Senator Winfield.

**House Bill 1018 Re-referred**

On motion of Senator Aikin, H. B. No. 1018 was re-referred from the Committee on Finance to the Committee on Counties and County Boundaries.

**Reports of Standing Committees**

Senator Weinert, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 973, A bill to be entitled "An Act authorizing the commissioners' court of any county in this State to call an election for the purpose of issuing bonds or warrants for the purpose of acquiring tracts of land and constructing buildings and improvements thereon for an agricultural experiment station; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 751, A bill to be entitled "An Act repealing H. B. No. 430,

Acts of the Regular Session of the Forty-sixth Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 976, A bill to be entitled "An Act regulating the solemnization of marriages in any county having a population of not less than 370,000 nor more than 500,000; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 1014, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by certain cities and towns in the State of Texas, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 1026, A bill to be entitled "An Act conferring upon the Board of Regents of the Texas State Teachers Colleges the power of eminent domain to acquire land for the use of the colleges; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 962, A bill to be entitled "An Act authorizing the board of directors of the Agricultural and Mechanical College of Texas, for the use and benefit of John Tarleton Agricultural College, to construct or acquire, and equip not more than two dormitories, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 1012, A bill to be entitled "An Act authorizing the commissioners' court of any county having a population of 100,000 inhabitants, or more, according to the last preceding Federal census, to issue bonds for the purpose of refunding any and all outstanding indebtedness of such county chargeable against the General Fund which existed on April 30, 1941; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 981, A bill to be entitled "An Act permitting estates of deceased Texas citizens, and others being administered within its jurisdiction, to take advantage of savings in Federal income taxes, authorized under Section 162 of the Federal Internal Revenue Code, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 451, A bill to be entitled "An Act to amend Sub-section (b) of Section 17, of Chapter 465, Acts of the Second Called Session of the Forty-fourth Legislature, providing that where precinct officers are compensated for their services on an annual salary basis the maximum shall be limited according to the last preceding Federal census under the provisions of Article 3883, R. C. S., 1925, as amended; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 971, A bill to be entitled "An Act authorizing cities and towns eligible under the terms of this Act to fund certain indebtedness outstanding on the effective date of this Act; prescribing the method and procedure for issuance of funding or refunding bonds, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 622, A bill to be entitled "An Act providing that the management and control of any municipal electric light, gas, water, or sewer system in certain cities with the population of not less than 6,700 nor more than 6,900, and financed by issuance of revenue bonds, shall, so long as any of such bonds be out-

standing and unpaid, be placed in the hands of a board of trustees; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 993, A bill to be entitled "An Act to amend Title 5, Article 176, of the Revised Civil Statutes of the State of Texas, 1925, by adding a new Article to be designated as Article 176A; providing that reports of alien ownership of land may be filed on or before the last day of December, 1941; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. C. R. No. 47, Authorizing the State Board of Control to execute to the City of Austin an extension of the lease dated January 1, 1932, to be used as a municipal park and playground and as a site for the casting pool; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 750, A bill to be entitled "An Act amending Chapter 39, Acts of the Forty-fourth Legislature, by

adding thereto Section 3, providing that the authority conferred on the court to alter, change, or supersede the provisions of judgments providing for the support of minor children, and the authority conferred upon the court to enforce such judgments may be exercised by the judge of said court in vacation; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Senator Winfield, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
May 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 514, A bill to be entitled "An Act repealing Section 9 of Article IV of Chapter 495 of the Acts of the Third Called Session of the Forty-fourth Legislature, as amended by S. B. No. 24, Chapter 5, Acts of the Forty-sixth Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WINFIELD, Chairman.

Senator Stone, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
May 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 1016, A bill to be entitled "An Act to amend Sections 1, 5, 6, 7 and 8 of S. B. No. 47, Acts, Forty-fifth Legislature, Regular Session, carrying into effect Section 46a of Article III of the Constitution of the State of Texas which established a Teacher Retirement System of Texas, by defining words and phrases used in the Act, etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass and be not printed.

KELLEY, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 988, A bill to be entitled "An Act to fix a maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which, according to the latest preceding Federal Census, had a population of not fewer than six hundred and eighty (680) and not more than six hundred and ninety (690) inhabitants, and being in counties containing not less than four thousand and fifty (4,050) and not more than four thousand and sixty (4,060) inhabitants, according to the last preceding Federal Census, whether organized under a general or special law; providing for election authorizing tax rate; repealing all laws conflicting herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KELLEY, Chairman.

Senator Winfield, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
May 14, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 721, A bill to be entitled "An Act fixing limitations on revocations, countermands of payments and stop-payment orders relating to the payment of any check or draft against bank accounts; and declaring an emergency."

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

WINFIELD, Chairman.

Senator Lanning, by unanimous consent, submitted at this time the following report:

Committee Room,  
Austin, Texas,  
May 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 528, A bill to be entitled "An Act providing for compensation for county auditor and purchasing agent in certain counties; providing mode and manner of payment of such salary; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Senator Brownlee, by unanimous consent, submitted at this time the following report:

Committee Room,  
Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 961, A bill to be entitled "An Act to create a more efficient road system for Dallas County, Texas, for the maintenance of the public roads and highways other than duly designated State highways of Dallas County; conferring upon the commissioners' court of said county full power, authority, and supervision of all public roads therein, other than State highways, and prescribing the rights, powers, and duties of said court over such public roads; prescribing the powers and duties of each county commissioner and fixing the respective salaries; etc.; and declaring an emergency."

Have had the same under consideration, and are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Senator Ramsey, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
May 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 889, A bill to be entitled "An Act authorizing the commissioners' court in certain counties to allow each county commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such commissioner to pay the expense of operation and repair of such automobile so used by him without further expense to the county; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Austin, Texas,  
May 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 967, A bill to be entitled "An Act authorizing the allowance of traveling expenses for members of the commissioners' court in certain counties; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Committee Room,  
Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1029, A bill to be entitled "An Act authorizing and empowering the commissioners' court in counties having a population of more than three hundred and fifty thousand (350,000) and less than four hundred

and fifty thousand (450,000) inhabitants, according to the last preceding Federal Census; to purchase fire trucks and other fire-fighting equipment for the protection and preservation of bridges, warehouses, shops, and other property located without the limits of any incorporated city or town; authorizing and empowering the commissioners' court to enter into contracts with any centrally located city in the county for the operation and maintenance of any such fire trucks and equipment; providing that the provisions of this Act are cumulative of all of the laws other than special laws; providing that in the event any Section, sub-division, paragraph, sentence, or clause be held unconstitutional, that the remaining portions thereof shall be valid; and declaring an emergency."

Have had the same under consideration, and are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Austin, Texas,  
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1018, A bill to be entitled "An Act applying only to independent school districts in counties having a population of not less than one thousand, eight hundred and forty-three (1,843) and not more than one thousand, nine hundred and forty-three (1,943) according to the last preceding Federal Census; authorizing said school districts to fund into time warrants all outstanding obligations of said school districts which existed on May 10, 1941; prescribing the terms and conditions of issuance of said time warrants; authorizing said school districts to borrow money in a sum not to exceed Fourteen Thousand (\$14,000.00) Dollars with which to pay certain outstanding obligations; providing for the levying of a tax to pay the same and fixing the rate of interest thereon; prescribing the terms and conditions of said time warrants; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recom-

mendation that it do pass and be not printed:

RAMSEY, Chairman.

Senator Aikin, by unanimous consent, submitted at this time the following report:

Committee Room,  
Austin, Texas,  
May 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 997, A bill to be entitled "An Act appropriating One Thousand (\$1,000) Dollars for the Commission of Appeals to the Court of Criminal Appeals; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

**Motion to Instruct Conferees on  
S. B. No. 423**

Senator Shivers, in accordance with the permission granted to him by the Senate on yesterday, submitted in writing at this time the following motion:

Mr. President: I move that the Senate Conference Committee on S. B. No. 423 be instructed to make the appropriation rider for the county and district highway fund for road bond indebtedness conform to the allocation called for in H. B. No. 238 as determined by the Conference Committee on that bill.

SHIVERS.

The motion prevailed.

**Committee Substitute Senate Bill 301  
on Second Reading**

On motion of Senator Ramsey and by unanimous consent the regular order of business was suspended, to permit consideration of C. S. S. B. No. 301 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 301, A bill to be entitled "An Act to regulate 'transportation agents,' who sell or offer for sale transportation or who make any contract, agreement, or arrangement to provide, procure, furnish, or arrange

for transportation, where such transportation is furnished or to be furnished or offered for a consideration paid or to be paid by the person or persons to be transported, and where such transportation is furnished or to be furnished or offered by any person, firm, or corporation, including lessee, trustee, and receiver, transporting or offering to transport persons for compensation, without being authorized so to operate as required by law, and not required by law to be so authorized; to require such transportation agents to have a license; defining certain terms, providing for the issuance, also the cancellation, of such license by the Railroad Commission of Texas; requiring a bond; providing that the Railroad Commission of Texas may make reasonable rules and regulations applicable to all persons holding transportation agent's license; providing for hearings, and for reviews of orders of the Railroad Commission fixing a tax; providing penalties; and declaring an emergency."

The bill was read second time.

Senator Ramsey offered the following amendment to the bill:

Amend C. S. S. B. No. 301, page 1, Section 1, by adding the following at the end of Sub-section (c):

"Provided that, the provisions of this Act shall not apply where such transportation is to be performed wholly within the limits of any incorporated town or city and the suburbs thereof."

And amend the caption accordingly.

The amendment was adopted.

The bill was passed to engrossment.

**Committee Substitute Senate Bill 301  
on Third Reading**

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 301 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Fain
Brownlee	Formby
Chadick	Graves
Cotten	Hazlewood

Lanning	Stone
Lovelady	Sulak
Mauritz	Van Zandt
Moffett	Weinert
Moore	Winfield
Ramsey	York
Shivers	

Absent

Beck	Lemens
Isbell	Vick

Absent—Excused

Hill	Metcalf
Kelley	Smith
Martin	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,  
Austin, Texas,  
May 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

H. B. No. 42, A bill to be entitled "An Act providing a unified, comprehensive code of procedures for financial administration, including financial planning and budgeting, accounting and financial control, current auditing of receivables and receipts and preauditing of expenditures, purchasing and property control, and management of general government buildings; creating a Governor's Cabinet, a Department of Finance and Control, a Director of the Budget, a Director of Purchasing, a Division of Accounting, and prescribing their power and duties, a Classified Civil Service based upon the merit system for Personnel Administration, an Advisory Personnel Council; prescribing methods of procedures for personnel administration, and creating an auditor of State, a Commissioner of Institutions, and prescribing their powers and duties; making transfers of functions from existing officers and other agencies

to the agencies so created; abolishing certain agencies; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof, repealing all laws and parts of laws in conflict herewith, prescribing penalties for violations of provisions of this Act; and declaring time of going into effect."

H. C. R. No. 147, Authorizing the Enrolling Clerk to make certain changes in H. B. No. 903.

The House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on S. B. No. 423. The following are conferees on the part of the House: Reed of Dallas, Morris, Alsup, Stanford and Bullock.

The House has refused to concur in Senate amendments to H. B. No. 29 and requests the appointment of a Conference Committee to adjust the differences between the two Houses. The following are appointed on the part of the House: Fuchs, Chambers, Carrington, Crosthwait and Hoyo.

The House has adopted the Conference Committee report on H. B. No. 76 by a vote of 109 yeas, 15 noes.

The House has concurred in Senate amendments to H. B. No. 431 by a vote of 106 yeas, 6 noes.

The House has concurred in Senate amendments to H. B. No. 542 by a vote of 117 yeas, 0 noes.

The House has concurred in Senate amendments to H. C. R. No. 89 by a vote of 113 yeas, 0 noes.

The House has concurred in Senate amendments to H. C. R. No. 131 by a vote of 106 yeas, 0 noes.

The House has concurred in Senate amendments to H. B. No. 494 by a vote of 114 yeas, 0 noes.

The House has concurred in Senate amendments to H. B. No. 218 by a vote of 105 yeas, 5 noes.

The House has concurred in Senate amendments to H. B. No. 411 by a vote of 104 yeas, 4 noes.

The House has concurred in Senate amendments to H. B. No. 854 by a vote of 114 yeas, 1 no.

The House has concurred in Senate amendments to H. B. No. 495 by a vote of 110 yeas, 0 noes.

The House has concurred in Senate amendments to H. B. No. 362 by a vote of 114 yeas, 1 no.

The House has concurred in Senate amendments to H. B. No. 538 by a vote of 106 yeas, 4 noes.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

#### Motion to Take up Senate Bill 8

Senator Chadick moved that the regular order of business be suspended, to permit consideration of S. B. No. 8 at this time.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

#### Yeas—10

Brownlee	Lemens
Chadick	Ramsey
Cotten	Sulak
Graves	Van Zandt
Lanning	York

#### Nays—9

Aikin	Shivers
Fain	Stone
Mauritz	Weinert
Moffett	Winfield
Moore	

#### Absent

Beck	Vick
Isbell	

#### Absent—Excused

Kelley	Spears
Martin	

#### Paired

Senator Formby (present), who would vote "yea" with Senator Smith (absent), who would vote "nay."

Senator Hazlewood (present), who would vote "nay" with Senator Metcalfe (absent), who would vote "yea."

Senator Lovelady (present), who would vote "yea" with Senator Hill (absent), who would vote "nay."

#### House Bill 541 on Final Passage

On motion of Senator Fain, and by unanimous consent, the vote by which H. B. No. 541 was passed on May 6, 1941, was reconsidered.

The President laid before the Senate on its final passage:

H. B. No. 541, A bill to be entitled "An Act repealing H. B. No. 627 passed at the Regular Session of the

Forty-fifth Legislature, the same being a local game bill for Polk County; and declaring an emergency."

Senator Fain offered the following amendments to the bill:

#### (1)

Amend H. B. No. 541 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Amend H. B. No. 140 passed by the Second Called Session of the Forty-fifth Legislature to hereafter read as follows: It shall be unlawful for any person to hunt, trap, take, shoot or kill deer or wild turkey in Fannin County, Texas for a period of five (5) years from and after the effective date of this Act.

"Sec. 2. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than Twenty-five (\$25.00) Dollars, and not more than Two Hundred (\$200.00) Dollars."

#### (2)

Amend H. B. No. 541 by striking out all above the enacting clause and inserting in lieu thereof the following:

"Amend H. B. No. 140 enacted by the Second Called Session of the Forty-fifth Legislature to hereafter read as follows: Making it unlawful to hunt, trap, take, shoot or kill deer or wild turkey in Fannin County, Texas, for a period of five (5) years and providing for penalties."

The amendments were adopted unanimously.

The bill was passed by the following vote:

#### Yeas—25

Aikin	Mauritz
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Cotten	Shivers
Fain	Stone
Formby	Sulak
Graves	Van Zandt
Hazlewood	Vick
Isbell	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

#### Absent—Excused

Hill	Metcalfe
Kelley	Smith
Martin	Spears



### Conference Committee on House Bill 73

Senator Moore called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 73.

Senator Moore moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Moore, Hazlewood, Shivers, Van Zandt and Wienert.

### Senate Bill 469 on Second Reading

On motion of Senator Stone and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 469 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 469, A bill to be entitled "An Act amending S. B. No. 409, Chapter 53, page 64, of the Special Laws of the Regular Session of the Forty-third Legislature, 1933, relating to the 'County Court of Galveston County at Law,' transferring the jurisdiction of this court to the County Court of Galveston County; providing for additional compensation for the county judge and county clerk; and declaring an emergency."

The bill was read second time and was passed to engrossment.

### Senate Bill 469 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 469 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Hazlewood
Beck	Isbell
Brownlee	Lanning
Chadick	Lemens
Cotten	Lovelady
Fain	Mauritz
Formby	Moffett
Graves	Moore

Ramsey	Vick
Shivers	Weinert
Stone	Winfield
Sulak	York
Van Zandt	

Absent—Excused

Hill	Metcalf
Kelley	Smith
Martin	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Cotten	Shivers
Fain	Stone
Formby	Sulak
Graves	Van Zandt
Hazlewood	Vick
Isbell	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Hill	Metcalf
Kelley	Smith
Martin	Spears

### House Bill 967 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 967 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 967, A bill to be entitled "An Act authorizing the allowance of traveling expenses for members of the commissioners' court in certain counties; and declaring an emergency."

The bill was read second time and was passed to third reading.

### House Bill 967 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 967 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Cotten	Shivers
Fain	Stone
Formby	Sulak
Graves	Van Zandt
Hazlewood	Vick
Isbell	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Hill	Metcalfe
Kelley	Smith
Martin	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Cotten	Shivers
Fain	Stone
Formby	Sulak
Graves	Van Zandt
Hazlewood	Vick
Isbell	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Hill	Metcalfe
Kelley	Smith
Martin	Spears

#### House Bill 1014 on Second Reading

On motion of Senator Lanning and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 1014 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1014, A bill to be entitled "An Act to validate all ad valorem

tax levies heretofore made by certain cities and towns in the State of Texas, which levies are unenforceable because of the failure of the governing bodies in such respective cities and towns to make such levies by ordinance, or other procedural defect in levying and assessing taxes; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 1014 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1014 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Cotten	Shivers
Fain	Stone
Formby	Sulak
Graves	Van Zandt
Hazlewood	Vick
Isbell	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent—Excused

Hill	Metcalfe
Kelley	Smith
Martin	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Lemens
Beck	Lovelady
Brownlee	Mauritz
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Lanning	Vick

Weinert  
Winfield

York

Absent—Excused

Hill  
Kelley  
Martin

Metcalf  
Smith  
Spears

### Recess

On motion of Senator Mauritz, the Senate, at 11:10 o'clock a. m., took recess until 10:00 o'clock a. m. Monday, May 19, 1941.

## SIXTY-EIGHTH DAY

Continued

(Monday, May 19, 1941)

The Senate met at 10:00 o'clock a. m., and was called to order by President Stevenson.

### Leaves of Absence Granted

Senator Cotten was granted leave of absence for today on account of illness, on motion of Senator Chadick.

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Smith.

Senator Shivers was granted leave of absence for today on account of important business, on motion of Senator Moore.

### Address of Hon. Coke R. Stevenson

On motion of Senator Winfield and by unanimous consent, the following address of Hon. Coke R. Stevenson, Lieutenant Governor, at the ceremonies on the State Capitol grounds on yesterday to celebrate "I Am an American Day" was ordered printed in the Journal:

Mayor Miller, Chief Justice Alexander, Ladies and Gentlemen and My Friends Everywhere:

The significance of this day is one that can not be overestimated. It is somewhat like the custom of standing up in the old "camp meetin," to show which side we were on. We who enjoy the privileges of the American way of life do not need a stimulant. We who enjoy its blessings do not need any argument in its favor. We

who shoulder its responsibilities need nothing to convince us of its ever-living presence.

There is no necessity of a badge on the lapel of most of us. To advertise that one is an American is to create a shadow of doubt. It is somewhat analogous to advertise that one is honest. The man who labels himself as an honest man admits that his honesty has been questioned. If he is honest, his neighbors know it, and if he is indeed honest, he needs no spokesman to proclaim the fact. This is somewhat like the story of the mother who admonished her child never to ask a stranger what state he was from. She said, "If he is from any state other than Texas it will be embarrassing to him to admit it, and if he is from Texas, you will know it soon enough."

The same may be said of all of us who are true Americans. It would be embarrassing to admit that we are anything else except Americans in thought and deed, and if we are truly such, the world will learn of it soon enough.

There is occasion, however, for us to show the colors under which we march. We are accustomed to watching the flag of our country wave over federal possessions. But on special occasions each of us unfurls his own flag, even though it is the common banner—the stars and stripes forever, the colors of all humanity, red, white and blue. In such manner we celebrate the 4th of July, the 11th of November and Washington's birthday.

Referring again to that great American institution, the camp meeting, we are reminded of heroic spirits who rededicated themselves to the forces of righteousness. It was regarded as an opportunity, not for advertising one's virtues, but to reaffirm one's devotion to the ideals which prompted those virtues.

And so, today, we seize the opportunity to reaffirm our faith in the ideals of a system of living which we know as the American way.

The chief purpose of the "I Am an American Day" is that of reconsecration for those of us who are distinctly American. The chief value of this day to those who have recently become Americans is one of education. Let us keep in mind these